

7.1 ANALYSIS OF EXISTING AUTHORITIES

There is one sewer authority established within West Hanover Township - the West Hanover Township Water and Sewer Authority (WHTWSA). The Authority was established by the Township Board of Supervisors on March 19, 1990 under the provisions of the Municipal Authorities Act of the Commonwealth of Pennsylvania (approved May 2, 1945, P.L. 382) for the purpose of providing guidance and management related to the acquisition, holding, construction, improvement, maintenance, operation, ownership or lease of projects related to the West Hanover Township public sewer system.

7.1.1 Financial and Debt Status

WHTWSA is financially independent of the Township and relies on revenues to provide service. Revenues from operations come from wastewater usage fees, tapping fees, customer facility fees and connection fees. Nonoperating revenues come from inspection fees, penalties and interest. According to the Notes to the *Audited Financial Statement for Year Ended December 31, 2004* (included as Appendix D) prepared for WHTWSA, the Authority's long-term debt is associated with the construction of the wastewater collection, conveyance and treatment system and the purchase of equipment.

7.1.2 Staff and Administrative Resources

WHTWSA maintains three (3) full-time personnel who are responsible for the operation and maintenance activities at the WWTP, collection system, and pumping stations, including laboratory testing and sewer extension inspections. Although the staff has many responsibilities, it appears that the needs of the facilities can be adequately met with the current staffing level, provided that miscellaneous duties such as routine collection system maintenance (flushing and televising sewer lines), clearing rights-of-way, biosolids disposal, lawn services, and janitorial work are contracted out. It is anticipated that the current staff would be able to adequately provide service for the structural improvements proposed in this Act 537 Plan.

7.1.3 Legal Authority

WHTWSA is empowered to implement the recommended wastewater planning recommendations contained within this Act 537 Plan. They are presently responsible for system wide operation and maintenance duties and could continue in this capacity upon completion of any future plant or system expansions. The Authority has established and, from time-to-time, adjusts the user fees and tapping fees charged to customers for the use of the system. They have the legal authority to negotiate and enter into agreements with other parties and raise capital for construction and operation and maintenance of facilities. Act 57 of 2003 has given Authorities broader authority to take enforcement actions against violators of ordinances and rules and regulations.

7.2 ANALYSIS OF INSTITUTIONAL ALTERNATIVES

7.2.1 Need for New Authorities

It is not anticipated that there will be a need for new Authorities to implement any of the recommendations proposed by this Act 537 Plan.

7.2.2 Function of Existing Authority

Any recommendation for new or expanded sewer service within West Hanover Township would best be implemented by the existing WHTWSA. The Authority is in the position to negotiate with outside parties (developers) and funding agencies, assume debt for capital improvements, impose user fees and other charges, and administer construction contracts. Any extension of service or conveyance of sewage to areas outside of the Township for treatment would need to be addressed by an intermunicipal agreement establishing the service area, responsibilities for construction, operation, and maintenance of facilities, and other issues relative to provision of service. It is not anticipated that a new joint authority or other new governing body would be established.

7.2.3 Ability to Address Future Needs

The Authority is generally positioned to address the future needs of the system, including the implementation of the recommended wastewater treatment and collection alternatives with minimal additional administrative costs.

7.3 IMPLEMENTATION OF INSTITUTIONAL ALTERNATIVE

7.3.1 Incorporation of Legal Authorities

WHTWSA was established in 1990 under the provisions of the Municipal Authorities Act of the Commonwealth of Pennsylvania (approved May 2, 1945, P.L. 382). This Act 537 Plan does not propose the formation of any new authorities or agencies.

7.3.2 Required Ordinances, Regulations, Standards, and Inter-Municipal Agreements

WHTWSA has developed Rules & Regulations for the use of the sanitary sewer system. Other Authority ordinances, planning or legal agreements are not considered necessary at this time. The Township may consider pursuing additional intermunicipal agreements based on the results of the current arbitration relative to the STA Joint Use Interceptor.

7.3.3 Required Rights-of-Way, Easements, and Land Transfers

The Township will be required to obtain any necessary rights-of-way, easements, or properties to implement the recommended structural alternatives. Any land requirements, in the form of rights-of-way, easements, or additional properties will be acquired through negotiation procedures between the Authority and the property owner. In circumstances where a suitable compensation cannot be negotiated, condemnation procedures may be utilized to acquire properties for use in construction of public facilities. The necessity for acquisition of property would be further evaluated during the final design phase of the collection and conveyance facilities.

7.4 SELECTED INSTITUTIONAL ALTERNATIVE

WHTWSA was established for the purpose of providing management of the West Hanover Township public sewer system and has served in that capacity for the previous 15 years as an operating Authority. WHTWSA has demonstrated an ability to operate and maintain facilities through proper fiscal and administrative policies and management. Therefore, the West Hanover Township Water and Sewer Authority is recommended as the agency to implement the proposed structural alternatives. WHTWSA should obtain all financing, construct the new system and charge their specified rate structure to the new users of this system.